

The City Council of the City of Mattoon held a regular meeting in the Council Chambers at City Hall on June 21, 2005 at 7:00 p.m.

Mayor White presiding.

The following members of the Council answered roll call: YEA Commissioner David Cline, Absent Commissioner Terry Cook, YEA Commissioner Randy Ervin, YEA Commissioner David Schilling, YEA Mayor Charles E. White.

Also in attendance were City personnel: City Administrator Richard Underkofler, City Attorney/Treasurer J. Preston Owen, Public Works Director David Wortman, Police Chief Larry Metzelaars, Community Coordinator Kyle Gill, and City Clerk Susan O'Brien.

Mayor White seconded by Commissioner Cline moved to adopt Ordinance 2005-5204 amending Section §32.03(B) of the Mattoon Code of Ordinances establishing a revised order of business for regular meetings of the City Council as amended.

CITY OF MATTOON, ILLINOIS

ORDINANCE NO. 2005-5204

AN ORDINANCE AMENDING SECTION 32.03(B) OF THE MATTOON CODE OF ORDINANCES ESTABLISHING A REVISED ORDER OF BUSINESS FOR REGULAR MEETINGS OF THE CITY COUNCIL

BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. Chapter 32.03(B) of the Mattoon Code of Ordinances is repealed and reenacted as follows:

37.03(B)

(1) The order of business at all regular meetings shall be as follows:

- (A) Pledge of Allegiance
- (B) Roll Call
- (C) Consent Agenda. Items listed on the Consent Agenda are considered to be routine in nature and will be enacted by one motion. Prior to asking for a motion to approve the Consent Agenda, the mayor will ask if anyone desires to remove an item from the Consent Agenda for public discussion. No separate discussion of these items will occur unless a Council Member requests the item to be removed from the Consent Agenda. If an item is removed from the Consent Agenda, it will be considered elsewhere on the meeting agenda.
- (D) Minutes of Previous Meetings
- (E) Reports of Special Committees
- (F) Reports of Municipal Officers, Departmental Commissioners or Department Heads
- (G) Approval of the Payroll and Bills Submitted Since the Last Council Meeting
- (H) Public Presentations, Petitions and Communications. This portion of the City Council meeting is reserved for persons who desire to address the Council. The Illinois Open Meeting Act mandates that the City Council may NOT take action on comments received on matters that have

not been identified on this agenda, but the Council may direct staff to address the topic or refer the matter for action on the agenda for another meeting.

(I) Unfinished Business

(J) New Business

(K) Miscellaneous Business

(L) Recess to Closed Session. The agenda must cite the specific statutory exception to the Illinois Open Meetings Act (5 ILCS 120(2)(c) that allows discussion of topics in closed session.

(M) Reconvene from closed session; consider motions or notice of motions pertaining to topics discussed in closed session.

(N) Adjourn

(2) This order of business may be changed during any meeting as may be convenient by a majority of all the members elected.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Mayor White, seconded by Commissioner Cline, adopted this 21st day of June, 2005, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,

Commissioner Schilling, Mayor White

NAYS (Names): None

ABSENT (Names): Commissioner Cook

Approved this 2nd day of June, 2005

/s/ Charles E. White

Charles E. White, Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

/s/Susan J. O'Brien

Susan J. O'Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on June 22nd, 2005.

Commissioner Schilling seconded by Commissioner Ervin moved to reverse the order of business by stating the Pledge of Allegiance before Roll Call.

Mr. Herb Meeker of the Mattoon Journal Gazette inquired about the removal of a consent agenda item. Administrator Underkofler reviewed the procedure.

Mayor White declared the motion carried to amend Ordinance 2005-5204 by the following vote: YEA Commissioner Cline, Absent Commissioner Cook, YEA Commissioner Ervin, YEA Commissioner Schilling, YEA Mayor White.

Mayor White declared the motion to approve amended Ordinance 2005-5204 carried by the following vote: YEA Commissioner Cline, Absent Commissioner Cook, YEA Commissioner Ervin, YEA Commissioner Schilling, YEA Mayor White.

CONSENT AGENDA

(Items listed on the Consent Agenda are considered to be routine in nature and will be enacted by one motion. Prior to asking for a motion to approve the Consent Agenda, the mayor will ask if anyone desires to remove an item from the Consent Agenda for public discussion. No separate discussion of these items will occur unless a Council Member requests the item to be removed from the Consent Agenda. If an item is removed from the Consent Agenda, it will be considered elsewhere on the agenda for this meeting.)

Mayor White seconded by Commissioner Ervin moved to approve consent agenda consisting of: Minutes of the regular meeting June 7, 2005; Reports of Special Committees; Report of Police Department for the month of May; Payroll and Bills for the first half of June; Special Ordinance 2005-1083: Approving a special use permit for a downstairs Children's Resale Shop at 2206 Western Avenue, Travis and Jennifer Owen – Applicants; Resolution 2005-2597: Authorizing the acceptance and execution of a \$29,000 recycling grant agreement with Illinois Department of Commerce and Economic Opportunity to assist with the costs of acquiring recycling containers; Council Decision Request 2005-467: Reporting bids received and awarding procurements valued at \$155,471 for materials and services for the 2005 street maintenance program; Council Decision Request 2005-468: Authorizing a \$2,500 tourism grant to enable La Société Des 40 Hommes et 8 Chevaux to host a second Grande du Illinois Grande Promenade; Council Decision Request 2005-469: Approving specifications, a \$40,000 cost estimate and a solicitation for bids to repair the roof at the Burgess Osborne Auditorium.

Bills and Payroll first half of June

General Fund

Payroll	\$	262,117.05
Bills	\$	<u>120,934.62</u>
Total	\$	383,051.67

Hotel Tax Fund

Payroll	\$	1,688.33
Bills	\$	<u>1,561.03</u>
Total	\$	3,249.36

Festival Management

Bills	\$	<u>5,091.81</u>
Total	\$	5,091.81

Insurance & Tort Judgment

Bills		\$	<u>10,153.56</u>
	Total	\$	10,153.56

Midtown TIF Fund

Bills		\$	<u>3,199.79</u>
	Total	\$	3,199.79

Capital Project Fund

Bills		\$	<u>2,077.50</u>
	Total	\$	2,077.50

Water Fund

Payroll		\$	31,958.56
Bills		\$	<u>22,688.65</u>
	Total	\$	54,647.21

Sewer Fund

Payroll		\$	28,221.33
Bills		\$	<u>61,520.42</u>
	Total	\$	89,741.75

Cemetery Fund

Payroll		\$	2,344.81
Bills		\$	<u>5,228.70</u>
	Total	\$	7,573.51

Motor Fuel Tax Fund

Bills		\$	<u>1,470.57</u>
	Total	\$	1,470.57

Health Fund

Bills		\$	<u>46,609.29</u>
	Total	\$	46,609.29

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2005-1083

AN ORDINANCE, GRANTING A SPECIAL USE ALLOWING THE OPERATION OF A CHILDREN’S RESALE SHOP AT 2206 WESTERN AVENUE.

WHEREAS there has been filed a written Petition by Travis and Jennifer Owen for a special use, respecting the property legally described as:

The East Forty (40) Feet of Lot Ten (10) and all of Lot Eleven (11) in Block Eighty-eight (88) in Noyes’ Addition to

the Original Town, now City, of Mattoon, Coles County, Illinois,

Commonly known as, 2206 Western Ave., Mattoon, Illinois

WHEREAS, said petition requests that a special use be granted pursuant to applicable ordinances of the municipality to allow the operation of a children's resale shop on the ground floor portion of the building; and

WHEREAS the zoning of the property is R3 Multiple Family Residence District, and there has been a special use permit for offices in the past; and

WHEREAS the Board of Zoning Appeals held a properly noticed public hearing on June 7, 2005 regarding petitioners' request for said special use; and

WHEREAS both the Planning Commission for the City of Mattoon, Coles County, Illinois, and the Zoning Board of Appeals for the City of Mattoon, Coles County, Illinois, have recommended that the requested special use permit be granted; and

WHEREAS the City Council for the City of Mattoon, Coles County, Illinois, deems that it would be in the public interest to approve a special use permit for the operation of a children's resale shop on the ground floor portion of the building.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. Pursuant to enabling authority provided at Section §159.05 of the Mattoon Code of Ordinances, the property legally described as aforesaid, be and the same is granted a special use permit for the operation of a children's resale shop on the ground floor portion of the building.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Section 4. The City Clerk shall make and file a duly certified copy of this ordinance with the Clerk and Recorder's Office of Coles County, Illinois.

Upon motion by Mayor White, seconded by Commissioner Ervin, adopted this 21st day of June, 2005, by a roll call vote, as follows by consent agenda::

AYES (Names): Commissioner Cline, Commissioner Ervin,

Commissioner Schilling, Mayor White

NAYS (Names): None

ABSENT (Names): Commissioner Cook

Approved this 2nd day of June, 2005

/s/ Charles E. White

Charles E. White, Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

/s/Susan J. O'Brien

Susan J. O'Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2005-2597

**A RESOLUTION AUTHORIZING THE ACCEPTANCE AND EXECUTION OF A \$29,000
RECYCLING GRANT AGREEMENT WITH THE ILLINOIS DEPARTMENT OF COMMERCE AND
ECONOMIC OPPORTUNITY TO ASSIST WITH THE COST OF ACQUIRING RECYCLING
CONTAINERS**

WHEREAS, the City of Mattoon applied to the Illinois Department of Commerce and Economic Opportunity for a recycling grant to assist with the cost of acquiring new recycling containers and a grant has been offered pursuant to a terms of a grant agreement, and

WHEREAS, it is now necessary for the City Council to authorize the Mayor and the grant administrators to sign documents as required by the Department of Commerce and Economic Opportunity in connection with said grant funds.

NOW, THEREFORE, BE IT RESOLVED that the Grant Agreement and the documents identified in the Grant Agreement, copies of which are attached and incorporated herein by reference, are hereby accepted.

BE IT FURTHER RESOLVED, that the Mayor and either the City Administrator or City Attorney & Treasurer are hereby authorized and empowered to execute and deliver in the name of or on behalf of the City, the Grant Agreement and any and all amendments, modifications and supplements thereto, and to execute and deliver such additional documents, instruments and certificates as may be necessary or desirable for the City to perform its obligations under the Grant Agreement.

Upon motion by Mayor White, seconded by Commissioner Ervin, adopted this 21st day of June, 2005, by a roll call vote, as follows by consent agenda:

AYES (Names): Commissioner Cline, Commissioner Ervin,
Commissioner Schilling, Mayor White

NAYS (Names): None

ABSENT (Names): Commissioner Cook

Approved this 2nd day of June, 2005

/s/ Charles E. White

Charles E. White, Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

/s/Susan J. O'Brien

Susan J. O'Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Mayor White declared the motion for approving the consent agenda carried by the following vote: YEA
Commissioner Cline, Absent Commissioner Cook, YEA Commissioner Ervin, YEA Commissioner Schilling, YEA
Mayor White.

PUBLIC PRESENTATIONS, PETITIONS AND COMMUNICATIONS

Mayor White opened the floor for public discussion. There was no public discussion.

UNFINISHED BUSINESS

Mayor White seconded by Commissioner Schilling moved to adopt Special Ordinance 2005-1084: Approving a redevelopment agreement that would reimburse Mark Dust and Martin Hogan d/b/a D&H Associates, LLC up to \$40,000 for construction of a new retail service building at 1100 to 1112 Lake Land Boulevard in the Midtown Redevelopment Project Area. The reimbursement would be 17.5% of the annual real estate tax increment allocable to the new building for a term of 9 years with a lump sum of balance due on the 10th year.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2005-1084

AN ORDINANCE APPROVING A REDEVELOPMENT AGREEMENT THAT WOULD REIMBURSE MARK DUST AND MARTIN HOGAN D/B/A D&H ASSOCIATES, L.L.C., UP TO \$40,000 FOR CONSTRUCTION OF A NEW RETAIL SERVICE BUILDING AT 1100 TO 1112 LAKE LAND BOULEVARD IN THE MIDTOWN REDEVELOPMENT PROJECT AREA

WHEREAS, Mark Dust and Martin Hogan d/b/a D&H Associates, L.L.C. (the “**Developer**”), have submitted a proposal to the City of Mattoon, Illinois (the “**Municipality**”) for redevelopment of a part of the Municipality’s Mattoon Midtown Redevelopment Project Area (the “**Redevelopment Project Area**”); and, thereafter, the Municipality and the Developer have engaged in negotiations related to a Redevelopment Agreement (including all exhibits and attachments in connection therewith, the “**Redevelopment Agreement**”) concerning redevelopment incentives and assistance related to the preservation, development and redevelopment of a part of the Redevelopment Project Area.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The Redevelopment Agreement, in substantially the form thereof presented before the meeting of the City Council at which this ordinance is adopted, shall be and is hereby ratified, confirmed and approved, and the Mayor and City Clerk are authorized to execute and deliver the Agreement for and on behalf of the Municipality; and upon the execution thereof by the Municipality and the Developer, the appropriate officers, agents, attorneys and employees of the Municipality are authorized to take all supplemental actions, including the execution and delivery of related supplemental opinions, certificates, agreements and instruments not inconsistent with the Redevelopment Agreement, desirable or necessary to implement and otherwise give full effect to the Redevelopment Agreement. Upon full execution thereof, the Agreement shall be attached to this ordinance as EXHIBIT “A”.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Mayor White, seconded by Commissioner Schilling, adopted this 21st day of June, 2005, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,
Commissioner Schilling, Mayor White

NAYS (Names): None

ABSENT (Names): Commissioner Cook

Approved this 2nd day of June, 2005

/s/ Charles E. White

Charles E. White, Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

/s/Susan J. O'Brien

/s/ J. Preston Owen

Susan J. O'Brien, City Clerk

J. Preston Owen, City Attorney

Attachment (1) - EXHIBIT "A"

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, Absent Commissioner Cook, YEA Commissioner Ervin, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Schilling moved to adopt Special Ordinance 2005-1085, approving a redevelopment agreement that would reimburse Mark Dust d/b/a H&H Restaurants, Inc. up to \$40,000 for costs of business relocation to a new building at 1100 to 1112 Lake Land Boulevard in the Mattoon Midtown Redevelopment Project Area. The reimbursement would be 17.5% of the annual real estate tax increment allocable to the new building for a term of 9 years with a lump sum of balance due on the 10th year.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2005-1085

AN ORDINANCE APPROVING A REDEVELOPMENT AGREEMENT THAT WOULD REIMBURSE MARK DUST D/B/A H&H RESTAURANTS, INC., UP TO \$40,000 FOR COSTS OF BUSINESS RELOCATION TO A NEW BUILDING AT 1100 TO 1112 LAKE LAND BOULEVARD IN THE MIDTOWN REDEVELOPMENT PROJECT AREA

WHEREAS, Mark Dust d/b/a H&H Restaurants, Inc. (the "**Developer**"), have submitted a proposal to the City of Mattoon, Illinois (the "**Municipality**") for redevelopment of a part of the Municipality's Mattoon Midtown Redevelopment Project Area (the "**Redevelopment Project Area**"); and, thereafter, the Municipality and the Developer have engaged in negotiations related to a Redevelopment Agreement (including all exhibits and attachments in connection therewith, the "**Redevelopment Agreement**") concerning redevelopment incentives and assistance related to the preservation, development and redevelopment of a part of the Redevelopment Project Area.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The Redevelopment Agreement, in substantially the form thereof presented before the meeting of the City Council at which this ordinance is adopted, shall be and is hereby ratified, confirmed and approved, and the Mayor and City Clerk are authorized to execute and deliver the Agreement for and on behalf of the Municipality; and upon the execution thereof by the Municipality and the Developer, the appropriate officers, agents, attorneys and employees of the Municipality are authorized to take all supplemental actions, including the execution and delivery of related supplemental opinions, certificates, agreements and instruments not inconsistent with the Redevelopment Agreement, desirable or necessary to implement and otherwise give full effect to the Redevelopment Agreement. Upon full execution thereof, the Agreement shall be attached to this ordinance as EXHIBIT "A".

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Mayor White, seconded by Commissioner Schilling, adopted this 21st day of June, 2005, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,

Commissioner Schilling, Mayor White

NAYS (Names): None

ABSENT (Names): Commissioner Cook

Approved this 21st day of June, 2005

/s/ Charles E. White

Charles E. White, Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

/s/Susan J. O'Brien

Susan J. O'Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Attachment (1) - EXHIBIT "A"

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, Absent Commissioner Cook, YEA Commissioner Ervin, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Ervin moved to adopt Special Ordinance 2005-1086, approving a Midtown TIF grant agreement that would reimburse Mark Dust and Martin Hogan d/b/a D&H Associates, LLC up to \$10,000 for costs incidental to removal of an outdoor advertising structure located on the 1100 Block of Lake Land Boulevard. This grant would be paid in a lump sum upon documentation of actual expenses incurred in the removal or attempted removal of the structure.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2005-1086

AN ORDINANCE APPROVING A MIDTOWN TIF GRANT AGREEMENT THAT WOULD REIMBURSE MARK DUST AND MARTIN HOGAN D/B/A D&H ASSOCIATES, L.L.C., UP TO \$10,000 FOR COSTS INCIDENTAL TO REMOVAL OF AN OUTDOOR ADVERTISING STRUCTURE LOCATED ON THE 1100 BLOCK OF LAKE LAND

BOULEVARD IN THE MIDTOWN REDEVELOPMENT PROJECT AREA

WHEREAS, Mark Dust and Martin Hogan d/b/a D&H Associates, L.L.C. (the “**Grantee**”), has submitted a proposal to the City of Mattoon, Illinois (the “**Municipality**”) to remove an outdoor advertising structure incidental to the redevelopment of a part of the Municipality’s Mattoon Midtown Redevelopment Project Area (the “**Redevelopment Project Area**”); and, thereafter, the Municipality and the Grantee have engaged in negotiations related to a Grant Agreement (including all exhibits and attachments in connection therewith, the “**Grant Agreement**”) concerning redevelopment incentives and assistance related to the preservation, development and redevelopment of a part of the Redevelopment Project Area.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The Grant Agreement, in substantially the form thereof presented before the meeting of the City Council at which this ordinance is adopted, shall be and is hereby ratified, confirmed and approved, and the Mayor and City Clerk are authorized to execute and deliver the Grant Agreement for and on behalf of the Municipality; and upon the execution thereof by the Municipality and the Grantee, the appropriate officers, agents, attorneys and employees of the Municipality are authorized to take all supplemental actions, including the execution and delivery of related supplemental opinions, certificates, agreements and instruments not inconsistent with the Grant Agreement, desirable or necessary to implement and otherwise give full effect to the Grant Agreement. Upon full execution thereof, the Grant Agreement shall be attached to this ordinance as EXHIBIT “A”.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Mayor White, seconded by Commissioner Ervin, adopted this 21st day of June, 2005, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,
Commissioner Schilling, Mayor White

NAYS (Names): None

ABSENT (Names): Commissioner Cook

Approved this 21st day of June, 2005.

/s/ Charles E. White

Charles E. White, Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

/s/ Susan J. O'Brien

Susan J. O'Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on June 22, 2005.

Attachment (1) - EXHIBIT "A"

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, Absent Commissioner Cook, YEA Commissioner Ervin, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Cline seconded by Commissioner Schilling moved to approve Council Decision Request 2005-470, authorizing acceptance of a \$6,300 proposal from The Upchurch Group for engineering services necessary for submission of applications to the Illinois Department of Transportation for transportation enhancement grants.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, Absent Commissioner Cook, YEA Commissioner Ervin, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Cline reported on Commissioner Cook's condition, stating that Commissioner Cook was expected to make a full recovery from his stroke.

NEW BUSINESS

Commissioner Schilling seconded by Commissioner Ervin moved to adopt Resolution 2005-2598, authorizing a letter of agreement with the Mattoon Rotary Club for allocation of responsibilities for installation of a band shelter at Peterson Park.

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2005-2598

**A RESOLUTION AUTHORIZING A LETTER OF AGREEMENT WITH THE MATTOON ROTARY CLUB
FOR ALLOCATION OF RESPONSIBILITIES FOR INSTALLATION OF A BAND SHELTER AT
PETERSON PARK**

**BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY,
ILLINOIS** that David R. Schilling, Commissioner of Public Property, is authorized on behalf of the City Council, to sign a letter of agreement, a copy of which is attached and incorporated herein by reference.

Upon motion by Commissioner Schilling, seconded by Commissioner Ervin, adopted this 21st day of June, 2005, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,

Commissioner Schilling, Mayor White

NAYS (Names): None

ABSENT (Names): Commissioner Cook

Approved this 2nd day of June, 2005

/s/ Charles E. White

Charles E. White, Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

/s/Susan J. O'Brien

Susan J. O'Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, Absent Commissioner Cook, YEA Commissioner Ervin, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Cline seconded by Commissioner Ervin moved to adopt Resolution 2005-2599, authorizing execution of a utility adjustment agreement with Coles County in which the County will reimburse the City \$162,426 of a project estimated to cost about \$251,447 to relocate water and sewer mains incidental to roadway improvements near the intersection of U.S. Route 45 and County Highway 18.

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2005-2599

**A RESOLUTION AUTHORIZING A UTILITY ADJUSTMENT AGREEMENT WITH COLES COUNTY
INCIDENTAL TO ROADWAY IMPROVEMENTS NEAR THE INTERSECTION OF U.S. ROUTE 45 AND
COUNTY HIGHWAY 18**

**BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY,
ILLINOIS** that the mayor is authorized on behalf of the City Council, to sign an “Agreement for Reimbursable Utility
Adjustment” with Coles County, a copy of which is attached and incorporated herein by reference.

Upon motion by Commissioner Cline, seconded by Commissioner Ervin, adopted this 21st day of June, 2005, by a roll
call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,
Commissioner Schilling, Mayor White

NAYS (Names): None

ABSENT (Names): Commissioner Cook

Approved this 2nd day of June, 2005

/s/ Charles E. White

Charles E. White, Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

/s/Susan J. O’Brien

Susan J. O’Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, Absent Commissioner
Cook, YEA Commissioner Ervin, YEA Commissioner Schilling, YEA Mayor White.

MISCELLANEOUS BUSINESS

Clerk O’Brien opened and read aloud bids received for a digital recording system for the Police Department interview
rooms as follows:

Word System, Inc.	\$9,999.00
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The bid was placed on file in the City Clerk's office for public inspection.

Council discussed a revision of a draft ordinance establishing policy and implementing a drug and alcohol testing program for employees of the municipality not represented by a collective bargaining agent. Commissioner Cline reviewed the unions' drug testing. Mr. Kevin Hamilton of the Public Works Dept. questioned if the Park Dept. employees were presently under drug testing. Administrator Underkofler responded only if they were CDL license holders. Mr. Herb Meeker questioned the number of CDL employees. Director Wortman responded with approximately 60-70% of the public works pool held CDL licenses. Commissioner Cline suggested raising the alcohol limit from .02 to .04 as the CDL statute limit. Mr. Tom LeVeck, citizen, gave his objection on raising the limit. Council stated in order to make the policies consistent, alcohol should have a .04 limit. Administrator Underkofler and Director Wortman reviewed the frequency of testing and the cost of testing. Administrator Underkofler was to make the alcohol limit change and prepare the ordinance for the next council meeting.

Council discussed a proposed City Council initiative for community consultation on a proposal to relocate the Mattoon Family YMCA to premises of the Sarah Bush Lincoln Health Center. Commissioner Ervin stated the citizens of Mattoon wanted a dialogue on the proposal, requested the relocation be publicly debated, and stated the desire for the YMCA to remain an anchor for downtown, and to promote economic development. Commissioner Ervin proposed an option of considering a vacated YMCA as a City Recreation Department. Administrator Underkofler discussed a letter circulated to Mr. Michael Wall and Hospital committee, requested a third-party research survey, requested a joint venture between the YMCA, SBLHC, and City Council, and requested the City to assist in underwriting the costs of an architectural concept plan. Mr. Michael Wall and Mr. Chuck Hickey represented the YMCA and stated the recommendation for a survey to determine the best scenario for the YMCA would be brought to the YMCA Board. Public comments were heard from Mr. Jim Hawkins, Dennis Gathmann, and Jerry Groniger in support for the YMCA to remain downtown.

Mayor White seconded by Commissioner Schilling moved to recess to closed session pursuant to the Illinois Open Meetings Act for the purpose of considering the employment, performance or dismissal of employees of the municipality (5 ILCS 120(2)(c)(1)) and litigation affecting or on behalf of the City of Mattoon (5 ILCS 120/2(c)(11)) at 7:53 p.m. consisting of review a determination of a Departmental Director to terminate an employee for violation of personnel policies; discussion on an inquiry whether this Council would be willing to consider selling, rather than leasing, real estate owned by the municipality at Lake Paradise.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, Absent Commissioner Cook, YEA Commissioner Ervin, YEA Commissioner Schilling, YEA Mayor White.

Council reconvened from closed session at 9:20 p.m.

Commissioner Cline seconded by Commissioner Ervin moved to sustain a disciplinary action of a Departmental Director to terminate an employee for violation of personnel policies.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, Absent Commissioner Cook, YEA Commissioner Ervin, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Schilling moved to adjourn at 9:21 p.m.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, Absent Commissioner Cook, YEA Commissioner Ervin, YEA Commissioner Schilling, YEA Mayor White.

/s/ Susan J. OBrien
City Clerk